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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,593	06/05/2001	Takeshi Suzuki	01340/LH	5464
1933	7590	10/20/2005	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC 220 5TH AVE FL 16 NEW YORK, NY 10001-7708			LAMB, TWYLER MARIE	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/874,593	SUZUKI, TAKESHI	
	Examiner	Art Unit	
	Twyler M. Lamb	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 June 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 2-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 2-8 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/23/02</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 2 and 5-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Doron (US 6,559,888).

With regard to claim 2, Doron discloses a printer apparatus (Figure 2, data processing and printing system 9) effecting printing based on image data captured image (col 4, lines 20-34), the apparatus comprising: imaging condition detection means (zoom effect view finder arrangement 43) for detecting an imaging condition of the captured image (col 5, lines 45-51); pre-print process means (zoom in switch 30) for performing a pre-print process for the image data of the captured image accordance with the imaging condition (col 5, line 60 – col 6, line 67) ; and print means (Figure 2, data processing and printing system 9) for effecting printing based on the image data processed by on pre-print process means (col 4, lines 20-34); wherein the imaging condition detection means detects the imaging condition based on information relating

to the imaging condition, and the information relating to the imaging condition is added to the image data captured image (col 5, line 60 – col 6, line 67).

With regard to claim 5, Doron discloses a printer apparatus (Figure 2, data processing and printing system 9) effecting printing based on image data captured image (col 4, lines 20-34), the apparatus comprising: imaging zoom detection means (zoom effect view finder arrangement 43) for detecting condition use of an imaging zoom used captured image (col 5, lines 45-51); print zoom means (zoom in switch 30) enlarging an image to be printed on a print film (col 5, line 60 – col 6, line 67); and control means (zoom control program 300) for limiting a magnification of the image be printed on the print film, in accordance with the condition of use imaging zoom (col 5, line 60 – col 6, line 67).

With regard to claims 6-8, Doron discloses an electronic camera (digital Camera system 8) comprising the printer apparatus of claim 2 (Figure 2, data processing and printing system 9) and electronic imaging means for electronically capturing an image, wherein the printer apparatus prints the image captured by the electronic imaging means (col 4, lines 20-34).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Doron (US 6,559,888) in view of Yamazaki (US 6,259,825).

With regard to claim 3, Doron discloses a printer apparatus (Figure 2, data processing and printing system 9) effecting printing based on image data captured image (col 4, lines 20-34) the apparatus comprising: imaging sensitivity detection means (zoom effect view finder arrangement 43) detecting an imaging sensitivity used for capturing the captured image (col 5, lines 45-51).

Doron does not clearly teach a noise remove process means for performing a noise removal process for the image data of the captured image prior to the printing; and control means for controlling the noise removal process means in accordance with the imaging sensitivity.

Yamazaki discloses an auto setup process that includes a noise removal process means for performing a noise removal process for the image data of the captured image prior to the printing; and control means for controlling the noise removal process means in accordance with the imaging sensitivity (col 3, lines 53-64; col 4, line 59 – col 5, line 55).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Doron to include a noise remove process means for performing a noise removal process for the image data of the captured image prior to the printing; and control means for controlling the noise removal process means in accordance with the imaging sensitivity as taught by Yamazaki. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified

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Doron by the teaching of Yamazaki to produce the desired image as taught by Yamazaki in col 2, lines 35-38; col 3, lines 53-64; col 4, line 59 – col 5, line 55.

With regard to claim 4, Doron does not clearly teach wherein the control means controls noise removal process means such that noise removal performance enhanced as imaging sensitivity increases.

Yamazaki discloses an auto setup process that includes wherein the control means controls noise removal process means such that noise removal performance enhanced as imaging sensitivity increases (col 3, lines 53-64; col 4, line 59 – col 5, line 55).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Doron to include wherein the control means controls noise removal process means such that noise removal performance enhanced as imaging sensitivity increases as taught by Yamazaki. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Doron by the teaching of Yamazaki to produce the desired image as taught by Yamazaki in col 2, lines 35-38; col 3, lines 53-64; col 4, line 59 – col 5, line 55.

Response to Arguments

5. Applicant's arguments, see Amendment, filed 6/22/05, with respect to the rejection(s) of claim(s) claims 2-8 under 102(e) and 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Doron (US 6,559,888).

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Twyler M. Lamb whose telephone number is 571-272-7406. The examiner can normally be reached on Mon, Tues and Thurs 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Twyler M. Lamb
Primary Examiner
Art Unit 2622